

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF CHANGE APPLICATION)

NUMBER 35-9883 (a18237))

MEMORANDUM DECISION

Change Application Number 35-9883 (a18237), in the names of Elizabeth Follette and Weber River Water User's Association, was filed on August 2, 1994, to change the point of diversion, place of use and use of 1.0 acre-foot of water. Heretofore, the water has been diverted from the Weber River, and stored in Echo Reservoir located South 2640 feet and East 1400 feet from the NW Corner of Section 30, T3N, R5E, SLB&M, and used for irrigation, domestic, power, industrial and stockwatering uses in Davis, Weber, Morgan and Summit Counties.

Hereafter, it is proposed to divert 1.0 acre-foot of water from a six inch well, 100 feet to 400 feet deep, located North 660 feet and West 1330 feet from the SE Corner of Section 27, T1N, R4E, SLB&M, to be used for the irrigation of 0.15 acre, the stockwatering of one head of cattle or equivalent, and the domestic purposes of one family in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T1N, R4E, SLB&M.

The application was advertised in The Summit County Bee from September 2, 1994, to September 16, 1994, and was not protested.

It appears that this change can be made provided certain precautions are observed.

It is, therefore, **ORDERED** and Change Application Number 35-9883 (a18237) is hereby **APPROVED** subject to prior rights and the following conditions:

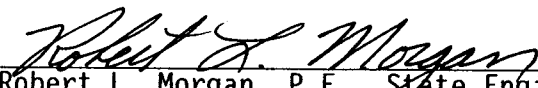
- 1) The basis for this right is ownership of one share of stock by the applicants in the Weber River Water Users Association. This ownership must be maintained in good standing for this change to remain valid. No water may be withdrawn from the well if valid ownership of this stock is not in effect.
- 2) Total diversion under this change application for all uses applied for is limited to 1.0 acre-foot of water per year. These uses are limited to the domestic needs of one family, stockwatering of one cattle or equivalent and irrigation of 0.15 acre. For the purpose of regulating this change, the applicants shall install a permanent totalizing meter to measure withdrawals from the well, which meter shall be available for inspection by the commissioner of the Weber River at any reasonable time.
- 3) The water being changed shall be released from Echo Reservoir into the Weber River as called for by the river commissioner.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for

MEMORANDUM DECISION
CHANGE APPLICATION NUMBER
35-9883 (a18237)
PAGE -2-

Reconsideration must be filed with the State Engineer within 20 days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 20th day of January, 1995.


Robert L. Morgan, P.E., State Engineer

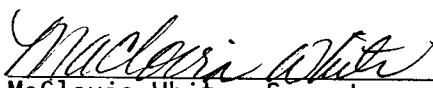
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Mailed a copy of the foregoing Memorandum Decision this 20th day of January, 1995, to:

Elizabeth Follette
1812 South 1000 East
Salt Lake City, UT 84105

Weber River Water User's Association
138 West 1300 North
Sunset, UT 84015

E. Blaine Johnson
1615 E. Shadow Valley Drive
Ogden, UT 84403

BY: 
MacClovia White, Secretary